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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/891,380	06/27/2001	Karin Axelsson	006917.00010	2566
22907 7590 08/26/2008 BANNER & WITCOFF, LTD. 1100 13th STREET, N.W. SUITE 1200 WASHINGTON, DC 20005-4051				
EXAMINER				
RAMAN, USHA				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

***Response to Arguments***

Applicant's arguments filed June 4<sup>th</sup>, 2008 have been fully considered but they are not persuasive.

Applicant argues (see Remarks page 11) that, "such a program that is available for recording, viewing, or reminding before the program starts, is not taught, described, or suggested anywhere in Finseth or any other art of record". Examiner respectfully disagrees. First it should be noted that claim language merely recites, "a user input receiver configured to receive an input from a user selecting a desired program available from the first receiver". As such "available" program need not be limited to program available for recording, viewing, or reminding *before the program start*. Rather the claim language merely states "a desired program available from the first receiver", wherein the availability can refer to a program available for the aforementioned operation at a future time, or available because it is currently airing, or already has been recorded. Even when considering applicant's narrow interpretation of "available", it should be noted that Ellis discloses the method of transmitting reminders from one program guide system to another before a program starts. Additionally, Finseth's step of sharing preferences specifically enables the first user to recommend a program to the second user (see column 13, lines 19-24 and column 14 lines 55-58). As such it is well within the scope of the modified system to enable a first user to select "desired program available from the first receiver" for recommending to a second user.

Applicant further argues (see Remarks page 12) with respect to Ellis that, "the user is merely remotely accessing his/her own program guide – thus there is only one

electronic program guide" and therefore fails to teaches the claimed step of "obtaining transmission of the notification....from the electronic program guide to at least one *remote electronic program guide system*". Examiner respectfully disagrees. In particular Ellis discloses (see [0070]) various implementations for the first and second program guide systems including, "the remote access guide maybe a client guide that communicates with the local guide (i.e. a server guide). In still another suitable approach, the two guides may be different guides that communicate in a manner or manners discussed disclosed herein".

Therefore, for the reasons stated above, the finality of rejection is sustained.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to USHA RAMAN whose telephone number is (571)272-7380. The examiner can normally be reached on Mon-Fri: 9am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Kelley can be reached on (571) 272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Usha Raman/